

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BRUCHA UNGAR, MIRIAM LUNGER,
and ABRAHAM LUNGER,

Plaintiffs,

v.

JETBLUE AIRWAYS CORPORATION and
JANE DOE,

Defendants.

No. 24-CV-1494 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

The Court grants Defendant’s application to seal Exhibits C and D, filed with the Declaration of Brian Friedman in Support of Defendant’s Motion to Dismiss, *see* ECF Nos. 16-3 and 16-4, and to refile redacted versions of these exhibits.

Per the Southern District’s ECF Notice Regarding Privacy and Public Access to Electronic Civil and Criminal cases, Plaintiffs’ complete home addresses and birthdays constitute “sensitive information” that must be, at a minimum, partially redacted. *See* <https://www.nysd.uscourts.gov/sites/default/files/pdf/egovtact042005.pdf>; *see also Abbey v. 3F Therapeutics, Inc.*, No. 06-cv-409, 2010 WL 11677681, at *1 (S.D.N.Y. Aug. 3, 2010). Additionally, Federal Rule of Civil Procedure 5.2 does not permit parties to file documents containing individuals’ full birth dates. *See* Fed. R. Civ. P. 5.2(a).

Additionally, Plaintiffs’ credit card information constitutes personal information requiring “caution” pursuant to the Southern District’s policy, which may be redacted without permission from the Court. *See id.*; <https://www.nysd.uscourts.gov/sites/default/files/pdf/egovtact042005.pdf>; *see also Seaman v. Nat’l Collegiate Student Loan Tr.* 2007-2, No. 18-cv-1781, 2022 WL 1665095, at *1 (S.D.N.Y. May 25, 2022) (granting motion to seal exhibits containing plaintiffs’ various


financial account numbers and to refile redacted versions, in part because such redactions were “permitted pursuant to *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110 (2d Cir. 2006), and its progeny”). Though the original exhibits included only the last four digits of Plaintiffs’ credit card numbers, the Court finds that the public interest in such information is low, and the Plaintiffs’ privacy interests is high. *See Rojas v. Triborough Bridge & Tunnel Auth.*, No. 18-cv-1433, 2022 WL 773309, at *3 (S.D.N.Y. Mar. 14, 2022) (permitting a plaintiff’s E-ZPass account information and phone number to be redacted from exhibits).

Lastly, while personal email addresses and phone numbers are not required to be redacted under the Federal Rules of Civil Procedure or under the Southern District’s ECF Notice Regarding Privacy, “individuals’ privacy interest in such information is high, and this information does not assist the public in monitoring or understanding the judicial process.” *Id.*; *see also Seaman*, 2022 WL 1665095, at *1 (permitting the redaction of plaintiffs’ personal email addresses, phone numbers, and home addresses).

The Clerk of Court is respectfully directed to modify the viewing level of Exhibit C (ECF No. 16-3) and Exhibit D (ECF No. 16-4) to “Sealed,” and to close the motion pending at ECF No. 18.

SO ORDERED.

Dated: May 28, 2024
New York, New York



Ronnie Abrams
United States District Judge